

Notice of Allowability

Application No.

10/686,704

Examiner

Andrew Schechter

Applicant(s)

KURASHINA ET AL.

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the filing of 24 January 2007.
2. ☒ The allowed claim(s) is/are 1-3,5,6,8-13 and 15-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Specification:

The Title has been changed to: "Electro-optical device and electronic apparatus having coating member coating an inner side wall of a contact hole".

End of examiner's amendment.

Response to Arguments

2. Applicant's arguments filed 24 January 2007 are persuasive.

The applicant argues [pp. 1-2] that *Yamasaki* (filing date 14 March 2003) is not prior art, due to the filing of a translation of the foreign priority document JP 2002-318545, perfecting a foreign priority date of 31 October 2002. This is persuasive, so the previous rejections relying on *Yamasaki* are withdrawn. *Yamasaki* was relied upon to teach a coating member coating an inner side wall of a contact hole, being made from a

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light shielding and electrically conductive material, being contained completely within the contact hole; and a filler completely filling an inner space within the coating member, the filler being made from a transparent material and having a substantially planar upper surface in direct contact with the liquid crystal layer. Absent *Yamasaki*, the remaining prior art does not disclose or teach this set of limitations (as discussed below).

Allowable Subject Matter

3. Claims 1-3, 5, 6, 8-13, and 15-17 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The prior art does not disclose the device of claim 1, in particular the limitations that there is a coating member coating an inner side wall of a contact hole, being made from a light shielding and electrically conductive material, being contained completely within the contact hole; and that there is a filler completely filling an inner space within the coating member, the filler being made from a transparent material and having a substantially planar upper surface in direct contact with the liquid crystal layer. For instance, JP 2002-72925 to *Sato* and US 2002/0057403 to *Yasukawa et al.* disclose a coating member in a contact hole, but not one contained completely within the contact hole. Claim 1 is therefore allowed, as are its dependent claims 2, 3, 5, 6, 8-13, and 17.

The prior art does not disclose the device of claim 15 or claim 16, in particular having the same set of limitations discussed above. Claim 15 and claim 16 are therefore allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Schechter whose telephone number is (571) 272-2302. The examiner can normally be reached on Monday - Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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